

IN THE CRIMINAL COURT OF TENNESSEE AT NASHVILLE
THE TWENTIETH JUDICIAL DISTRICT

STATE OF TENNESSEE,)
Plaintiff,)
vs) CASE NO: 2004-D-3113
PERRY AVRAM MARCH,)
Defendant.)

VOLUME II OF II VOLUMES
DEPOSITION OF COLONEL ARTHUR WAYNE MARCH
April 10, 2006
April 11, 2006

ALSO PRESENT: FLETCHER LONG
ATTORNEY-AT-LAW (FOR ARTHUR WAYNE MARCH)
607 SOUTH LOCUS STREET
SPRINGFIELD, TENNESSEE 37172

ALSO PRESENT: PERRY AVRAM MARCH

MARELLE NEWMAN
COURT REPORTER
STATE OF TENNESSEE
101 CHRISTINA COURT
GOODLETTSVILLE, TENNESSEE 37072

1	<u>INDEX</u>	<u>PAGE</u>
2	<u>WITNESS: ARTHUR WAYNE MARCH</u>	
3	<u>DIRECT EXAMINATION:</u>	
4	BY GENERAL TOM THURMAN	1
5	<u>CROSS-EXAMINATION:</u>	
6	BY MR. WILLIAM D. MASSEY	20
7	<u>REDIRECT EXAMINATION:</u>	
8	BY GENERAL TOM THURMAN	138
9	<u>RECROSS-EXAMINATION:</u>	
10	BY MR. WILLIAM D. MASSEY	147
11	<u>FURTHER REDIRECT EXAMINATION:</u>	
12	BY GENERAL TOM THURMAN	148
13	<u>FURTHER RECROSS-EXAMINATION:</u>	
14	BY MR. WILLIAM D. MASSEY	149
15		
16	<u>EXHIBITS</u>	
17	<u>EXHIBIT NUMBER ONE</u>	
18	DIAGRAM WHERE GRAVEL LOCATED AT DECK AND STAIRS - MARCH RESIDENCE	94
19		
20	<u>EXHIBIT NUMBER TWO</u>	
21	PHOTO - ARTHUR MARCH, PERRY MARCH, KATHY AND RONNIE BREITOWICH	115
22		
23	<u>EXHIBIT NUMBER THREE</u>	
24	PHOTO - CARMEN, AZUL, TOMMY AND SAMMY	117
25		

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

CROSS-EXAMINATION (continued)

BY MR. MASSEY:

Q Good morning, Colonel. I think we left off yesterday with... somewhere between the Ryder truck landing in Chicago and coming back to Nashville.

A Coming back with Perry in the Volvo.

Q Right. Once you returned to Nashville... you didn't take the Ryder back. You rode with--with Perry?

A With Perry in the Volvo.

Q In the Volvo; okay. And, did Ronnie March at that time stay in Chicago?

A To the best of my knowledge.

Q And, you arrived here--you arrived in Nashville.

A (No audible response)

Q Yes?

A Right.

1 Q Okay. At that time, Perry March ended up
2 going back to Chicago for the religious holidays with the
3 kids, right?

4 A Right.

5 Q And, then, after the religious holidays he
6 returned. That would be Yom Kippur.

7 A Right.

8 Q Am I pronouncing that correctly?

9 A Yeah, that's perfect.

10 Q And, then, when he returned back from his
11 visit to Chicago over Yom Kippur, is that when he told you
12 about the incident with Janet?

13 A That was the--uh---yes.

14 Q Okay. And, that's the first that you had
15 heard?

16 A The first that I had heard that she hadn't
17 gone to California.

18

19

20

21

22

23

24

25

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

Q (Mr. Massey) When he returned from Chicago from visiting with the kids over Yom Kippur is when he first told you he needed to dispose of the body or that he had disposed of the body?

A (Colonel March) No. He asked me to help him dispose of the body because they were doing construction work, and where the body was, was approximately ten yards from where the road went to where the construction was.

Q And, did you agree to do that?

A Yes.

Q That would have been sometime in the middle part of or two-thirds of the way through September?

A Yeah. But, the exact date I can't give you.

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

Mr. MASSEY: Would you look, over that time
line for me, Colonel?

COLONEL MARCH: This is different. We don't
have this.

MR. FLETCHER LONG: No, we don't; but, what
he wants you to do is look over this time line.

COLONEL MARCH Okay.

1 (Pause)

2 COLONEL MARCH: No, that's wrong.

3

4

5 MR. FLETCHER LONG: There is some on this
6 page, too.

7

8 COLONEL MARCH: I know; but, I didn't give
9 them...Sammy's birthday, it was--uh--was not--uh--before
10 my arrival. Sammy's birthday was after my arrival. I was
11 at Sammy's birthday.

12

13

14

15

16

17

18

19

20

21

22

23

24

25

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

MR. MASSEY: Well, my--my purpose, I want you to look over the rest of that time line, if you would, please, Colonel March, because I'm gonna ask you if those --if that's information your provided or if that's information that was told to you.

A (Colonel March) Well, that--that--that nine fifth (9-5) is a different date. They've got it--uh--oh, no, that's the Volvo; I'm sorry.

Perry March did not fly. . .wait.
(Pause)
I don't remember anything about Sammy's broken arm.

Q The report indicates that Mr. Thurman went

1 over this time line with you, is that correct?

2 A To the best of my knowledge, no.

3 Q Would you look over the rest of it, please?

4 (Pause)

5 A Uh--I don't know anything about that--on the

6 nineteenth Perry making a phone call.

7 Q Where are you on that?

8 A The last.. .nine nineteenth credit card call,

9 I don't know anything about that.

10 Q All right.

11 A And, I don't know anything about Ron March

12 being in Juvenile Court.

13 Q All right. Of those dates, that are on that

14 time line, did you have knowledge whether any of those are

15 correct? Do you have any knowledge one way or the other?

16 A Well, I told you the ones I thought

17 were incorrect.

18 Q Okay; all right. The other ones were

19 correct, then?

20 A To the best of my knowledge.

21 Q And, which ones are those, just for the

22 record, please?

23

24

25

1 COLONEL MARCH: Well, how could they be
2 correct if they're in the wrong place?

3 Q (Mr. Massey) That--that's what I need for
4 you to tell me.

5 A Well, the whole thing is wrong because it's
6 all screwed up. So, you've got to take it in its entirety;
7 so, you're gonna assume that everything is bad.

8 Q So, everything on that time line is--is out
9 of place.

10 A To the best of my knowledge, it's out of
11 sync and so, therefore, I can't give you anything on it.

12

13

14

15

16

17

18

19

20

21

22

23

24

25

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

MR. MASSEY: Okay. Once Perry went back to Chicago for Yom Kippur, so, we know that that's a day that, you know, he went back to visit with the kids and, then, returned to Nashville. So, we know that date.

A (Colonel March) Right.
Q That's a pivotal date cause you remember he went up for the holidays, the Holy days.

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

MR. MASSEY: All right. Let me be--let me
be a little more clear. We know from the calendar when

1 Yom Kippur was and --

2

3 A (Colonel March) It's the twenty-third.

4 Q Right in September of 1996, right?

5 A Yeah.

6 Q And, you know that Perry March went back to
7 Chicago to spend time with the children over the High
8 Holidays.

9 A Right; that's correct.

10 Q Okay. And, you know that when Perry March
11 returned to Nashville was when he told you that he needed
12 help with Janet's body.

13 A That's--that's right.

14 Q And, uh--you told him you would help him.

15 A Yeah; that's why I did it.

16 Q And, I believe you said because he's your
17 son.

18 A That's right.

19 Q And, that's the first that you had ever
20 heard that Janet wasn't--hadn't just walked off or that she
21 was in--uh--California.

22 A No. That is the second time. The first time
23 was when he told me --

24

25

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

COLONEL MARCH: The first time that Perry told me about it was at the house when he asked me to clean up...he was afraid there was some blood stains. That's the first time.

So, this--this was the second time.

Q (Mr. Massey) All right I see.

A This was the convincer cause when he told me the first time, I--all I know that she was dead. He never mentioned that he killed her, never. Perry never mentioned that he killed Janet. He used the term 'accident'.

Q Okay. Do you remember when that time at the house was... I know we've got a long time ago. We're dealing with this time line, again. Just give me the best that you can remember

A What--what are you--what are you--just tell me where you are right now.

Q I want--I want to know in the time line of when you arrived in Nashville, when Perry first told you about the cleaning the blood. Is that --

A I can't give you the exact date. It was very..

Q Is that the first time that he mentioned something to you about it when --

A That's the first time he had --

1 Q -- he asked you to clean --
2 A -- mentioned that Janet was dead.
3 Q Okay. And, what was that--what was that
4 conversation centered around? What was he asking you to do?
5 A He was asking me to check on the entrance
6 way to the kitchen for the--uh--if there were any blood
7 stains.
8 Q Was that before your trip to--went on to
9 Chicago?
10 A (No audible response)
11 Q In the Ryder truck doing the moving.
12 A I really can't...remember. I think it was
13 --uh--I'm just not sure.
14 Q Do you remember any particular event that
15 triggered Perry telling you this information?
16 A Which information?
17 Q The information that he needed you to help
18 --the first time he talked to you about Janet's --
19 A Well, he didn't need me for the help with
20 Janet. He just told me that Janet had had an accident and
21 Janet was dead.
22 Q Okay. That was the first thing that you were
23 ever told?
24 A No--no mention of my giving him any help
25 for anything at that point. That's the first time.

1 Q Okay. Do you remember how long that you had
2 been at his house when he told you that? Do you remember if
3 it was long or short, if you had just gotten there?
4 A (Simultaneous speech) I don't know.
5 Q Okay.
6 A I can't tell you.
7 Q Do you remember at all how close it was to
8 him telling you he needed help from you in disposing of the
9 body?
10 A It was within days; but, I don't know how
11 many.
12 Q Would you say it's a fairly--they were fairly
13 close together, then, the two conversations?
14 A Uh--yeah; within a week.
15 Q And, when you say Perry March asked you to
16 help clean up, or look for blood, what--what exactly did he
17 ask you to do?
18 A Just clean the gravel around the entrance
19 way. There was a parking lot there if anybody remembers.
20 They used to park the car out there and, then, go into the
21 kitchen with the groceries or whatever the hell it was, and
22 take it into the kitchen. And, he said that I should check
23 it and clean it up and see if there was any--anything; that
24 he was afraid there might be some blood there. And, that
25 was the reason he told me that she was dead.

1 Q So, directed your attention to outside in
2 the--was it in the back or the side?

3 A There--there's an entrance to the kitchen on
4 the side. You pull the car in, park the car, get out of the
5 car and go--you can go into the kitchen from there. That was
6 the place he told me that there might be some blood.

7 Q Okay. Is that close to the back yard or the
8 side yard?

9 A Well, I'm not sure that's considered a yard
10 That was a driveway --

11 Q Okay

12 A -- on that side by the kitchen. It was not
13 considered--I didn't consider it--uh--uh--a back yard. I
14 considered it part of the driveway
15

16 MR. MASSEY: Counsel, do you have a pen?

17 Q (Mr. Massey) Colonel, could I ask you to
18 just draw this for me cause I--I haven't seen the house.
19 And, it would help me to understand if I could see a bit of
20 a picture.

21 (Pause)

22 COLONEL MARCH: The scriggley. (phonic)
23 represents the gravel. .

24 Q Okay. Is that this---this scriggley over
25 here?

1 A Yeah. That's the gravel in the driveway.
2 It was a driveway where they parked their cars and got in.
3 Q Okay.
4 A And, then, there was a set of stairs that
5 led off the porch and off of the kitchen.
6 Q Okay.
7 A And, there was a porch that also came
8 up there. You could go into the porch or the kitchen from
9 that entrance.
10 Q Was it an enclosed porch?
11 A No. I don't believe it was screened; I don't
12 remember.
13 Q Okay Am I correct...this is the gravel,
14 cause I'm gonna make this an exhibit I wanted it to be
15 clear.
16 A This is the gravel, this is the stairway.
17 There weren't that many stairs. There were just a few stairs.
18 Q Okay.
19 A And, also, you could turn from there into
20 the--on--uh---really was like a deck, but, it was under cover.
21 Q Okay, okay. So, you either had the deck or
22 you went into the kitchen?
23 A Uh-huh.
24 Q So, here would be to deck or to kitchen,
25 whichever you chose?

1 A Where I've got marked kitchen is--
2 Q Right here.
3 A That's it, yeah.
4 Q Okay; that's kitchen. And, the deck, would
5 the kitchen be on the right side or the left side?
6 A Well, as you walk up, the deck was on the
7 left, kitchen was straight ahead.
8 Q So, would I be correct, then, to put deck
9 right here?
10 A It would be lower.
11 Q Here?
12 A Yeah, right there.
13 Q I don't know whose printing is worse, Colonel,
14 mine or yours.
15 Would that be about right?
16 I win that contest. Yeah, that's about right.
17 Q Okay.
18 MR. MASSEY: And, I would ask that that be
20 made and exhibit, please.
21
22 (EXHIBIT ONE MARKED)
23
24 GENERAL THURMAN: May I see it?
25

1 COURT REPORTER: He asked to see it first.

2

3 MR. MASSEY: I'm sorry.

4 (Pause)

5 MR. MASSEY: Okay.

6 Q Other than outside on this gravel, were you
7 asked to look for the presence of blood anywhere else?

8

9 A (Colonel March) Not to my knowledge.

10 Q Okay.

11 A Not to my recollection, whichever you want.

12 (Pause)

13 MR. MASSEY: Do you remember on the second
14 when--when Perry returned, Perry March returned from Yom
15 Kippur and he told you at that point that he needed help
16 disposing of the body. Do you remember what time of day
17 it was that he told you, evening or morning or --

18 A No. It was--I think it was in the afternoon;
19 but, I'm not--I can't really give you a definite time cause
20 I don't--don't remember.

21 Q Okay. After--uh--did--did you leave that
22 same day to go to where the body was?

23 A That night.

24 Q That night; okay. And, you were in which
25 vehicle?

1 A The Volvo. He was driving...driving; I'm sorry.

2 Q And, finally, when you reached the place where
3 the body was--uh--and, by the way, have you taken police
4 back to that location?

5 A What I thought was the location, yes.

6 Q Okay. Were you --

7 A I was pretty convinced that that was the
8 location.

9 Q Okay. Did I understand you correctly when
10 you were talking to General Thurman that Mr. March, Perry
11 March, let you out, gave you directions, and you went up and
12 --and located--

13 A When he gave me directions, I was in the car,
14 then, I went up the road--went up the little short what was
15 a driveway then. It had just rained.

16 Q Okay. So, you were able to locate--uh--the
17 body?

18 A Yes, which was on the left.

19 Q And, you said the body was--had some dirt
20 over the top of it.

21 A Yeah.

22 Q About how deep was the dirt over the top of
23 it, do you recall?

24 A I couldn't give you an exact figure; but,
25 it wasn't a lot because I could scrape it away with my hands.

1 Q Do you remember about how tall Janet March
2 was? Was she over five feet?
3 A Oh, yeah.
4 Q Was she a fairly tall lady, I mean, like
5 five five, five six?
6 A No. She was.. .little shorter than Perry.
7 I mean, you know, --
8 Q Was she taller than Perry March?
9 A No. With heels, yes.
10 Q So, about the same--close to his height?
11 A Yeah.
12 Q Was she a--a heavy lady?
13 A Oh, no.
14 Q Once you were able to locate this bag with
15 her.. .you say her remains were in it, right? Then, did you
16 pick the bag up?
17 A I didn't pick it up and with two hands I
18 brought it down the so-called driveway, pulling it. I mean,
19 I didn't lift it cause it was a little--it was a little
20 heavy. I don't even pick up a fifty pound dog food bag; so...
21 Q And, I under—if I understand correctly, the
22 --there was just one bag and it was what you call a leaf bag.
23 A Yeah. We call it a leaf bag where I come
24 from.
25 Q And, is a leaf bag larger than a garbage bag?

1 A Well, it is a garbage bag.
2 Q So, are they the same thing?
3 A The same thing. It's just that--uh--up
4 north we use it for leaf bags. We use to bag the leaves
5 in it and put it down so they could take them away.
6 Q I was just trying to get an idea of the size.
7 Was it a large bag?
8 A Yes.
9 Q But, it was--you're sure it was just a single
10 bag.
11 A The composure (phonic) of it, I don't know.
12 It was a bag.
13 Q I understand.
14 A It was a black bag that we use to load...
15 as far as I was concerned, it was just for leaves.
16 Q Uh--in previous statements you have indicated
17 that it was a single bag that weren't--that wasn't double
18 bagged. It was a single bag.
19 A No, no. It was a single bag..
20 Q Okay. That's what I was meaning when--when I
21 asked that question.
22 So, it was a single bag. Uh--and, you pulled
23 it down the hill. .
24 A Right.
25 Q And, Perry pulled up in the car. And, did you

1 lift the bag up into the trunk?

2 A I helped Perry.

3 Q Uh--Colonel, do you remember talking with

4 Agents--uh--the Federal Government on or about February the

5 fifteenth, it appears?

6 A What year?

7 Q This year.

8 A That would be after Valentine's Day.

9 Q Do you remember making a proffer to the--to

10 the Federal people? That might be easier --

11 A What?

12 Q Do you remember making a proffer, sitting

13 down and talking with them?

14 A In their office?

15 Q Yeah.

16 A Yeah.

17 Q Do you remember telling them that you lifted

18 the body up and put into the trunk of the Volvo?

19 A I--I don't recollect that cause Perry helped

20 me lift it up into the--into the Volvo.

21 Q Do you remember telling them that you

22 couldn't remember if Perry helped you lift it up or not?

23 A No.

24 Q Uh--I note that you--when you talked--when

25 you were giving direct testimony to Mr. Thurman earlier, that

1 you said you thought this bag may weigh sixty, seventy pounds,
2 but, less than a hundred?

3 A Right.

4 Q And, I noted that in--in previous times you've
5 talked about this, you said the bag weighed around a hundred.
6 And, I just wondered how it lost that weight.

7

8 GENERAL THURMAN: I think he said less than
9 a hundred, would be the proper...isn't that the --

10

11 COLONEL MARCH: (Simultaneous speech)

12

13

14

15

16

17

18

19

20

21

22

23

24

25

1 MR. MASSEY: (Indiscernible)
2 Q (Mr. Massey) Let me just ask it this way
3 then, Colonel. Do you remember telling Agents during your
4 proffer that you think she weighed a hundred pounds at that
5 point? At the point that --
6 A (Colonel March) I don't recollect that.
7 Q You don't deny that, do you?
8 A Well, don't deny...I said I didn't remember.
9 Q I understand; I understand.
10 A There's a difference.
11 Q Would it be, to your knowledge, incorrect
12 to say that it could have been around a hundred pounds at
13 that time?
14 A I can't give you the guess on what the weight
15 is.
16 Q Uh--do you think she weighed a hundred pounds
17 when she was alive?
18 A I know I. never lifted her; so, I don't know.
19 I don't think she weighed more than a hundred pounds. She
20 took very good care of her body.
21 Q When you got this bag, did you look in it
22 at the time?
23 A When I got the bag --
24 Q When you got the bag...when you went up,
25 Perry-dropped you off and you went up to the wooded area --

1 to find the body --

2 A No. There was only--it was like almost open,
3 but, it wasn't. And, all I saw at that point was some bones
4 and some clothing. And, that's--I closed it back up and
5 took it back down.

6 Q Okay And, you said at that point you didn't
7 --uh--didn't--don't recall any kind of putrid smell or bad
8 smell?

9 A No.

10 Q And, so, this bag was dragged down to the
11 car and you don't remember how it got in the trunk or do you
12 remember how the body got in the car?

13 A I remember it very well.

14 Q Okay. Tell me how.

15 A Perry and I--he opened the trunk. Perry
16 grabbed one end and I grabbed the other and we lifted it
17 into the trunk.

18 Q All right. And, where did you go from there?

19 A From there we headed north to go to Chicago.

20 Q You never did go back by the house that
21 night?

22 A I don't remember going back. I mean, it was
23 night and I didn't know--he was driving; so, you'll have to
24 ask him.

25 Q Okay; all right. And, you drove up north on

1 I-65, right?

2 A Yes.

3 Q Crossed over into Kentucky.

4 A Right.

5 Q Going up toward Bowling Green.

6 A Right.

7 Q And, that's where there's a--was it before

8 Bowling Green that this little hotel, motel was?

9 A Yes.

10 Q And, I believe it's--would it be fair to say

11 it wasn't a chain hotel?

12 A No. It was a--I would call family run opera-

13 tion.

14 Q And, you think--I believe you said earlier

15 you think it was named Blue something or had the name Blue

16 in its name?

17 A I--that's--I don't know why that sticks in

18 my mind. It may have been that that was what the color is.

19 I don't remember.

20 Q Okay. Did you go in to the desk at the motel?

21 A Yes.

22 Q And, you paid cash for a room.

23 A Right.

24 Q And, you gave a name other than your true

25 name.

1 A Right.

2 Q Came back out to the car. Did you give Perry
3 the key to the room?

4 A Well, we drove around to where the--where it
5 was. We parked the car in front of the room and, yeah, he
6 drove around.

7 Q You left him there and you left in the car
8 with Janet's body in it.

9 A Right.

10 Q Or, with the, leaf bag in it anyway.

11 A Yeah.

12 Q After you got to the motel, did you spend
13 any time there, do you recall? Or, did you just leave pretty
14 much after you got there?

15 A After the first time or after I returned?

16 Q We're still at the first time when you've
17 arrived and checked in.

18 A Well, we went into the room. I went in with
19 him. I didn't stay very long. I don't know how long.

20 Q Okay But, that evening was it--was it
21 evening time when checked into the hotel?

22 A No, no, no, no, no.

23 Q What time was it?

24 A It had to be. . .I would. say sometime in or
25 around twelve o'clock, probably after.

1 Q Twelve o'clock midnight.
2 A Yeah.
3 Q Okay. And, so, then, you left and--and drove
4 north on Sixty-Five.
5 A Right.
6 Q Did you drive through Bowling Green?
7 A Yes.
8 Q And, you said earlier that you found a place
9 where you thought would be a --
10 A Some water.
11 Q You saw some water first, right?
12 A Yeah.
13 Q And, did you follow the water trying to find
14 a place to dispose of the bag?
15 A In fact, I parked the car and even walked
16 down by the creek. We call it creek where I come from.
17 And, I could see that it wasn't --
18
19 MR. JOHN HERBISON: I'd ask the witness to
20 speak up a little, please
21
22 COLONEL MARCH: Oh, I'm sorry.
23
24 MR. JOHN HEBBISON: Thank you.
25

1 Q Was it while you were at that location that
2 you saw the school bus?
3 A No, it was at the next location.
4 Q So, you did--even though you got out and
5 parked, did you look for a place at the first location that
6 you stopped down by the creek?
7 A That's right.
8 Q But, couldn't find a place suitable.
9 A No. So, I got back in the car. I told you
10 this before. I got back in the car, drove back and I was up
11 north when I found another--uh--creek and went up that one.
12 And, that one was--it was a little bigger than the first
13 one; but, it still didn't have enough water that I could
14 do what I wanted to do with the body. So, I came back, drove
15 the car back towards 1-65, pulled over on the side when I
16 saw this heap of brush.
17 Q Okay. And, that's where--you meant brush.
18 That's where you said you dug the tunnels?
19 A That's right.
20 Q Have you gone back up to this area with police?
21 A Yes.
22 Q And, you're confident that was the area.
23 A It was the area; but, I couldn't find any
24 exact spot.
25 Q Okay. Then, you came back to the ho--to the

1 motel?

2 A Right.

3 Q Before you got back to the motel—after you
4 put the body out, is that when you saw the--the--uh--the
5 school bus?

6 A I had already put in the brush when I saw
7 the school bus come up. Dawn was just breaking.

8 Q Okay. So, was this field, then, right on the
9 road or close to the road?

10 A Well, it abutted to the road. It was a field
11 that the farmer was evidently clearing for planting future.

12 Q Went back to the motel, slept some.

13 A Yeah.

14 Q Then drove to Chicago.

15 A Right.

16 Q What was your purpose in putting the bag
17 in that brush pile?

18 A To have it burned and it would be cremated
19 and there would be no body.

20 Q Up to this point, up to where you took the
21 body to the brush pile, what had Perry March told you about
22 how her death occurred?

23

24

25

1 COLONEL MARCH: Don't really understand the
2 question.

3

4 Q (Mr. Massey) You and your son Perry March,
5 had had conversations about Janet dying.

6 A Right.

7 Q Okay. And, that was before you put the bag
8 in the brush pile.

9 A Right.

10 Q What did he tell you happened?

11 A At that point told me that they had had a
12 --I think he said argument, but, I'm not sure. And, there was
13 an accident and Janet had died. That's about all we spoke.

14 Q Up until the time that your son was taken
15 from Mexico and brought back here to Nashville under arrest,
16 did you have any further conversations about Janet March?

17 A No, nothing, not that I can recollect.

18

19

20

21

22

23

24

25

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

Q (Mr. Massey) Okay. I'm winding down now,
Colonel.

The computer and the hard drive...did you
throw both of those items away?

A Yes, one day after the other. First was the
--I don't know what--what the part was; but, that's the one
I put by the drugstore in a dumpster. And, the next day he
gave me the hard drive, and that's when I put that in the
woods.

Q Who gave you the hard drive?

A Perry.

Q Do you--uh--do you know what a hard drive
is? I mean, familiar --

A He just told me it was the hard drive.

Q Okay; told you it was the hard drive.

Do you remember how soon after you arrived
in Nashville from driving from Mexico? Do you remember how
long that was?

1 A How long it took me to get --
2 Q How long you had been there? How long you
3 had been in Nashville when--when you disposed of those two
4 things, the computer and the--and the hard drive
5 A Uh-
6 Q Best guess
7 A I'm assuming it was after Sammy's birthday;
8 but, I can't tell you...
9 Q Okay. What about--what do you know about
10 the tires on the vehicle that have been called to question
11 in this investigation?
12 A You mean the--the Jeep Perry asked me to
13 take it cause he thought there was something wrong with the
14 wheels. And, I took 'em to my mechanic, you know, just went
15 over and I said that Perry wanted to put new tires on. He
16 looked at the tires. He said, "Yeah, they should be changed."
17 But, he didn't have the size that would fit the car and I
18 should go to his brother's, and that's what I did.
19 Q His brother have a tire store, too?
20 A Oh, yeah, and--and a much bigger gas station.
21 Where I went it was not really--it was a gas station, but,
22 it was primarily a repair shop.
23 Q Was that here in Nashville?
24 A Yes.
25 Q Do you remember about where it was?

1 A Yeah. It was relatively close--it was
2 behind--off--off the road--off the main, whatever the street
3 is.
4 Q Was it close to--uh--Perry and Janet's
5 home?
6 A Well, what do you mean close? What is your
7 definition of close?
8 Q Well, you tell me where it was as best you
9 can.
10 A Well, it was --
11 Q About how far was it?
12 A Within five to ten minutes.
13 Q Okay; all right. When--do you remember
14 when these tires were--were changed out, or remember why
15 these tires were changed out?
16 A Well, my guy said he needed new tires. They
17 didn't give me the--Perry said it needed new tires. So,
18 everybody said they needed new tires
19 Q Okay, all right. The rug...do you remember
20 a rug being in that house?
21 A No. I've said--given testimony on this I
22 don't know, a hundred times. I never saw a rug in Janet's
23 house, period.
24 Q The inside of that house, it was a lot of
25 wood in it, wasn't it...wasn't it?

1 A Oh, yeah. It was a very sterile, cold house.
2 Q And, is it fair to say that something of
3 color, like a rug, would stand out?
4 A Any rug would stand out.
5 Q And, you've been in that house a number of
6 times.
7 A Yes.
8 Q Over the years.
9 A Yeah.
10 Q You've been in that house a number of times
11 since they were building it, since they had moved in it.
12 A Well, I had only been in the house a couple
13 of times. Janet had a problem with architects. She kept
14 changing on them. I stayed away from it. I--I really
15 didn't get into the house thoroughly until after it was
16 finished.
17 Q And, do you recall seeing any rug when you
18 were in the house?
19 A The answer is no, again.
20 Q Okay. That's the last time I'll ask to--
21 today.
22 Were you up--uh--with Perry and Janet March
23 while the house was being built?
24 A Yes. I went up several times.
25

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

MR. MASSEY: The blood that you talked about
earlier...on the gravel, is that where the blood was to be?

A (Colonel March) Where it was suppose to be
I never saw any blood

Q Okay You went out there and looked there?

A I went out and looked and I didn't see any
blood.

Q Were you asked to look anywhere else?

A Not that I can recollect.

Q Okay. And, you being asked to look was before
you went to look for the body.

A Yes.

Q And, it was before your trip to Chicago--uh--
in the Ryder truck.

A Yes.

Q And, it was before the stop on the way back
that you rode back with Perry March, right?

1 A Right.

2 Q And, you said you had stopped somewhere and

3 bought a shovel and some Clorox?

4 A I'm not sure about the Clorox. I think it

5 was Clorox. I--I really don't remember. I remember the

6 shovel and he bought some other things. And, I didn't really

7 pay attention to him.

8 Q Did Perry go in to make these purchases or

9 did you?

10 A He did.

11 (Pause)

12 COLONEL MARCH: I answered the question.

13

14 Q (Mr. Massey) Uh-huh; I'm thinking.

15 A Oh.

16 Q All right.

17 (Pause)

18

19

20

21

22

23

24

25

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

(EXHIBIT TWO MARKED)

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

MR. MASSEY: All right. Colonel, you've not
been charged with any offense in this homicide prosecution,
have you?
A (Colonel March) To the best of my knowledge,

1 no.

2 Q Has anyone from the government spoken to
3 you about the possibility of charges from this--uh--alleged
4 homicide prosecution?

5 A (No audible response)

6 Q The possibility of charges against you.

7 A As far as the homicide goes?

8 Q Uh-huh.

9 A No.

10 Q Nobody has mentioned anything about the
11 possibility?

12 A To the best of my recollection, no.

13 Q Colonel, when you learned that additional
14 charges had been brought against your son, Perry March,
15 remember that?

16 A You mean after they kidnapped him?

17 A Uh-huh.

18 Q Uh-huh.

19 A Yeah.

20 Q I--I mean, they brought additional charges
21 while he was in jail up here.

22 A Yeah, that's what I read in the paper.

23 Q Okay. And, you found out that there was
24 actually--uh--an arrest warrant for you, too.

25 A That's right.

1 Q Okay.

2 A Well, I knew about an arrest warrant on me

3 before they brought him up.

4 Q Okay. You knew about an arrest warrant on

5 you before they brought him up?

6 A Yeah. They had--uh--now, wait a minute,

7 hold on.

8 I don't recollect the time span that I learn-

9 ed that they were. . .charges against me. The Grand Jury, it

10 was--cause I didn't pay any attention to it.

11 Q Okay. At any time did--were you told by

12 any members of the government. . .now, by that, you know, I

13 mean police, prosecutors--uh--that your other children

14 could be involved in this investigation?

15 A Oh, I learned that after Perry had been

16 kidnapped; but, I can't tell you exactly when.

17 Q It would of been after the arrest on the

18 second group of charges, though, right, the Conspiracy and

19 and--uh---Solicitation charges?

20 A I--I don't know what they were arresting

21 him for.

22 Q Plus, the ones that you pled guilty to over

23 in Federal Court.

24 A Right.

25 Q At any time were you led to believe that

1 Ronnie March would be indicted if you didn't cooperate?

2

3 GENERAL THURMAN: By the government, I take
4 it?

5

6 MR. MASSEY: Name one.

7

8 COLONEL MARCH: No. I learned about Ronnie
9 and Kathy being--after--when. they came up to see me. He was
10 with Lee, my son-in--law. That's when he told me that there
11 was a chance that there were gonna be some charges against
12 them.

13 Q Ron March actually told you that?

14 A Yeah.

15 Q Okay. Was that after you were in custody,
16 also? You said they came up to see you --

17 A Yeah, cause that's when--yeah, I--I was
18 already--I had been kidnapped and brought up here, too.

19 Q What about your daughter, Kathy? Were you
20 ever told by members of the government or 'the police that
21 she could be charged in this indictment?

22 A I was never told by the government anything
23 about Ronnie and Kathy being involved. I learned that from
24 Ronnie and Lee.

25 Q Okay. Did Ronnie tell you about Kathy, also,

1 then.

2

3

4

5

6 COLONEL MARCH: Yeah.

7

8

9

10 MR. MASSEY: Did Ronnie tell you about Kathy,

11 also?

12

13 A (Colonel March) Yeah, he--

14

15

16

17 COLONEL MARCH: --mentioned...

18

19 MR. MASSEY: Were they frightened?

20

21 A (Colonel March) No.

22 Q Were you ever aware that Ron March had been

23 subpoenaed to a Grand Jury?

24 A At that point, yes.

25

1
2
3
4
5
6
7
8
9
10
10
12
13
14
15
16
17
18
19
20
21
22
23
24
25

Q Uh---were you made aware that Kathy had been
the subject of a Grand Jury subpoena regarding her computer?

A (Colonel March) That she was--the one about---
no, not that. I was not aware that she was under inspection
about a computer.

(Pause)

MR. MASSEY: Mr. March, did you ever feel
that your family, your--your family unit, were being
persecuted? .

A By the Levines? Yes.

A What about by the police? Did you feel that
the police were acting on behalf of the Levines?

A They were just doing what the Levines wanted
them to do cause, as you know, Carolyn Levine is the queen
of the Jewish moffia. And, she could --

1 COLONEL MARCH: -- do whatever she wanted.

2

3

4

5

6 MR. MASSEY: Go on and answer the question,
7 please.

8

9 A (Colonel March) I just did.

10 Q But, I--I'm afraid that Mr. Thurman was
11 speaking over you, and maybe, the Court reporter couldn't
12 understand what you were saying. You were talking about
13 Carolyn Levine.

14 A Yeah. She's the---uh---queen of the Jewish
15 moffia in--in Tennessee and Nashville.

16 Q What is the Jewish moffia?

17 A If you don't understand it, I can't explain
18 it to you.

19 Q I'm afraid I don't understand it.

20 A You know what a' moffia is, the word means?
21 And, you know what Jewish means. And, you don't understand
22 those two words together?

23

24

25

1 (Pause)

2 MR. MASSEY: We had talked earlier about

3 difficulties that your son, Perry, had had in his lifetime

4 since meeting Janet. And, I'm talking about difficulties

5 from, that you perceived, from the Levines, the parents,

6 her parents.

7 A Well, now wait a minute. I tes--that's not

8 what I said.

9 Q Well, you said she was a--a--I think you

10 referred to her a. ...Jewish American Princess; that she was

11 use to getting everything she wanted.

12 A Yeah. But, that was just between the

13 family. I mean, it wasn't--you--you made it sound like

14 that the Levines, you know, they--they didn't--all they

15 were there to do was give Janet whatever she wanted.

16 Q Okay; all right. That--that's fine

17 Uh--but, I believe--and, what I was trying

18 to get to is, I believe you said that they didn't care about

19 Perry. Did I--did remember that correctly?

20 A I never, said that; I never said that.

21 To the best of recollection, I never said they didn't care

22 about Perry. They sent her up there to Michigan to get

23 married to a nice Jewish boy, just like she did when she

24 went up to get--to meet Larry Levine. It was a duplicate

25 of the same situation.

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

(Pause)

MR. MASSEY: When Nathaniel Farris first
called you...remember that?

A (Colonel March) Nathaniel...
Q Bobby Givings, when he first called you.
A I never talked to a Nathaniel Farris.
Q He called himself by a false name. He used
the name Bobby Givings.
A Oh, okay.
Q Do you remember that?
A Vaguely.
Q Did you call Bobby Givings?
A Never in my life!
Q Or, did he call you.

1 A He called me all the time.
2 Q Did you ever call Bobby Givings?
3 A I just told you, no.
4 Q Had you ever heard of Bobby Givings?
5 A Not until Perry mentioned that he was a
6 friend and he needed some help.
7 Q Okay. And, when Perry told you--when Perry
8 March told you he needed some help, did he tell you what kind
9 of help?
10 A No!
11 Q So, when Bobby Givings first called you, did
12 you know of any type of agreement between Perry and Bobby
13 Givings?
14 A When he first called?
15 Q Uh-huh; when he first called you.
16 A No, I did not! That's why he had you to use
17 my dog's name and my mother's maiden name.
18 Q Why? Why did he have to use those names?
19 A So, that I'd know that Perry had talked to
20 him.
21 Q Aaah, okay. Did you have any idea at this
22 time that, and I'm talking about when Nathaniel Farris,
23 aka, Bobby Givings, first called you, did you have any
24 idea that--uh--Levines, Larry, Lawrence and--uh--and Carolyn
25 Levine were in danger of--to be killed?

1 A They were always in danger.

2 Q I mean, from--from Nathaniel Farris or from

3 Perry. You had no idea of their agree--any type of agreement--

4 A No.

5 Q -- between Nathaniel Farris and Perry, did

6 you?

7 A No.

8 Q So, you didn't know that Nathaniel Farris

9 was calling you to elicit help about killing Lawrence

10 Levine and Carolyn Levine?

11 A No.

12 Q Okay. On that call you mentioned--uh--your,

13 I believe, Marta, your maid's name, and--uh--Uncle Mike from

14 East Chicago, were there any other --

15 A Uncle Mike from East Chicago?

16 Q Yeah.

17 A Oh, yeah. That--that was one of the keys,

18 yeah.

19 Q Was that to let you know that --

20 A What he was telling me, Perry had told him.

21 Q Is that what you took it to mean at the

22 time?

23 A That's right. But, this was the man I was

24 suppose to talk to.

25 Q Okay. At that point...Colonel, before

1 talking to Bobby Givings, you didn't agree with with Perry
2 to harm, to hurt Levines physically, did you?

3 A No, that was my idea. Perry never mentioned
4 harming the Levines.

5 Q Why did--why--this--you said this is my
6 idea?

7 A Because it was.

8 Q What was your idea?

9 A That the easy way to get this was to take
10 out the queen and no balls at all, her husband. She--I
11 called--you said you didn't know what Jewish moffia was,
12 well, Carolyn was the queen. She had computers of every
13 Jew and everybody sympathetic to Jewish--uh--things in
14 Tennessee, in Nashville. And, I'm told in other countries.
15 I mean, other parts of the United States.

16

17

18

19

20 COLONEL MARCH: And, uh--the reason she had
21 so much power, was she was the lady that distributed
22 the money to--you have a hole in your judicial system, I'm
23 sorry to say. The hole in your judicial system is, that
24 the Judges at the lower level have to run for election.
25 To get money to run for an election, they need money. They

1 can't run for the office without getting money. And, the
2 Jewish moffia was a big contributor, and the one who doled
3 out the money was Carolyn. And, that's where she got her
4 power, and that's what Larry was building his on.

5 Q I see.

6 A Now, do you understand what the Jewish moffia
7 is?

8 Q I understand what you're saying.

9 A Okay.

10 Q Uh--Colonel, you said this was your idea to
11 take them out?

12 A Long before this happened.

13 Q Had you ever followed up on that?

14 A They were alive, weren't they?

15 A Yeah. So, I take it you have not followed
16 up on it?

17 A No.

18 Q But, you had very--let's just say ill feel-
19 ings toward them?

20 A Uh--I didn't like them.

21 Q You didn't like them.

22 A They were liars; they were political animals
23 who used her position with the Jewish moffia and his position
24 with the Democratic party to get what they wanted when they
25 needed it. Otherwise, how did you control two Judges who had

1 no business even being in this case?

2

3

4

5

6 MR. MASSEY: At the time that Bobby Givings
7 called you, had you decided to take action against the
8 Levines?

9

10 A (Colonel March) No.

11 Q Okay. Who suggested to you that action
12 should be taken against the Levines?

13 A This Givings.

14 Q Perry March didn't, did he?

15 A No.

16 Q Givings would talk to you on the phone about
17 instruments, remember?

18 A Yes.

19 Q He would talk to you on the phone about
20 surveillance?

21 A (No audible response)

22 Q Did you discuss those matters with Perry?

23 A Never. I was told not to talk to Perry about
24 Mr. Givings. I was told not to talk to--let anybody know.
25 And, if there was any communication, I should send it to

1 Kathy.

2 Q And, who was it that told you to send any
3 information to Kathy? It was Bobby Givings, wasn't it?

4 A No, that was...

5 Q Remember when he called you on--uh--

6

7 GENERAL THURMAN: Let him answer the question,
8 please.

9

10 MR. MASSEY: -- October 12th?

11 A (No audible response)

12 Q (Mr. Massey) Let me rephrase that.

13 Bobby Givings told you that Perry told him
14 to--that you can---uh--send E-mails through Kathy.

15 A And, he knows (phonic) --

16 Q She would down load it and mail it to
17 Perry.

18 A That's right.

19 Q So, it was Bobby Givings that passed that
20 information?

21 A That's correct.

22 Q In those con--in the conversation, particu-
23 larly, toward the end of the conversation on October 12th,
24 2005, uh--Bobby Givings--uh--said to let Perry know things
25 are going the way they're suppose to go.

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

MR. MASSEY: Okay. Did you talk to Perry
about things going the way they're suppose to go?

A (Colonel March) No.

Q Colonel, is it safe to say that the only
message you told Perry is, that Bobby Givings had made
contact with you?

A That's correct.

Q And, is it a fair characterization that
every time--uh--that when Nathaniel Farris would say to
you about Perry knowing about you guys' conversations,
you were emphatic to him that you only told Perry that he had
made contact?

A I didn't --I didn't ever talk to Perry about
what this guy said to me.

Q So, Perry didn't know that--uh---Farris was
preferring a twenty-two pistol?

A To the best of my knowledge, no.

Q Or, anything about a silencer?

A He was rather stupid.

Q But, you didn't discuss this with Perry?

A Never.

Q About a..cars that--uh----Farris wanted to

1 use when he was going to---uh---to do this to the Levines?
2 Did Perry know anything about these cars?
3 A To the best of my knowledge, no.
4 Q Not from you?
5 A Anyway, he didn't get it from me.
6 Q Colonel, on these telephone calls with
7 Bobby Givings, who suggested that--that Levines be taken
8 out, you or Bobby Givings?
9 A Bobby Givings.
10 Q Did you ever suggest that to him?
11 A To the best of my recollection, no.
12 Q Bobby Givings talks to you about taking
13 out one or taking out two, remember?
14 A Yes.
15 Q Did you discuss that with Perry March?
16 A No!
17 Q I know I'm being redundant, Colonel. Bear
18 with me, okay?
19 A You're the attorney.
20 Q Thank you.
21 Givings discussed with you Larry Levine's,
22 Lawrence Levine's schedule, when he left the house in the
23 morning, when he went to work, remember?
24 A At one time, yes.
25 Q Okay. You didn't discuss that with Perry
either, did you?

1 A No. What--Perry never discussed anything
2 that I discussed with this Givings. The only thing he done--
3 talked one conversation with Perry and that was that this
4 guy, Givings, would call me and he was a friend.

5 Q Okay.

6 (Pause)

7 MR. MASSEY: Uh--did you ever, feel like
8 Bobby Givings was calling you an awful lot?

9 A Uminm.. . just figured he was--I wouldn't say
10 it was a lot of any—he called me.

11 Q Uh--Colonel, you're listened to the tape
12 recording of the various conversations, October 12th,
13 October 14th, 20th, 25th, 27th, have you listened to those
14 conversations?

15 A Yes.

16 Q Okay. Were there other times that you talked
17 to Bobby Givings that weren't recorded?

18 A To my recollection, I, you know, I get a lot
19 of phone calls.

20 Q You don't recall any --

21 A No.

22 Q -- additional?

23 A I talked to him when he called me.

24 Q Okay. Colonel, you referred in one of
25 your conversations with him to you being. . .trying to get the

1 exact words--uh--support person' --uh---support agent. You
2 were suppose to support him.

3 A Who is "him"?

4 Q Bobby Givings.

5 A Yes.

6 Q Okay; supporting agent.

7 You told Bobby Givings on a number of
8 occasions, didn't you, that you didn't want to know all
9 those details he was giving you.

10 A That's right.

11 Q Told him to stop. You don't want to know
12 that, --

13 A Right.

14 Q --didn't you?

15 A Yeah. I didn't tell him to stop, I just
16 said that it was--I didn't want to know anything about it.
17 I was just—I did not tell him to stop.

18 Q And, Bobby Givings, in these conversations,
19 tried to get you to come up into Nashville area and help
20 him with this, even drive him to the Levines, didn't he, re-
21 member?

22 A Vaguely, yes, I do remember. But, --

23 Q You wouldn't do that?

24. A No. I was in Mexico. When he wanted he
25 could come down and stay, with me for a couple of weeks.

1 That was the deal.

2 Q And, he tried to get you to come across the
3 border from Mexico into the States to meet him and help him
4 get across the border.

5

6

7

8

9 COLONEL MARCH: Yeah. That's what he--

10

11 Q (Mr. Massey) That's what he was trying to
12 get you to do, right?

13 A Yeah, but, I --

14 Q You wouldn't do that either, would you?

15 A No.

16 Q Told him he needed a birth certificate and
17 a--uh--passport and just come on across.

18 A That's right.

19 Q And, what you were going to do, is give him
20 a place to live?

21 A To stay with me at my home.

22 Q Colonel, at what point do you recall knowing
23 that Bobby Givings was talking about killing the Levines?

24 A I would say that would be the second or
25 third phone call, maybe the first. I don't remember the

1 exact time.

2

3

4

5

6

7

8

9

10

11

12

13

14

15

16

17

18

19

20

21

22

23

24

25

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

MR. MASSEY: Colonel March, I have no questions; thank you.

No further questions.

REDIRECT EXAMINATION
BY GENERAL THURMAN

Q Colonel March, uh--what time did you get back to Kentucky last night?

A Seven, seven thirty, something like that.

Q What time did you have to get up this morning?

A Two thirty.

Q Okay

A We were suppose to be ready by four thirty; but, they (indiscernible).

Q Approximately two p.m. So, you've been up quite a long time. It's a long day. -

A Yeah, it's a long day.

Q Is it fair to say that at seventy-eight years of age and trying to recall ten years ago, it's difficult to go back and pick out specific dates and times of things that occurred?

1 A That's correct.

2 Q Now, let's just try to talk a little bit
3 about the time. I know it's been a lot of talk about it.
4 I just want to clear up a few things. Did
5 you get here after Janet March disappeared on August 15th,
6 1996? What's your best recollection of how many days it
7 took you to come up here to --

8 A My best recollection is three days; but,
9 it could have been two or it could have been four. I don't--
10 I know I drove rather hard.

11 Q Okay.

12 A So, that the possibility it could have been
13 two; but, I'm not saying --

14 Q And, were you here for Sammy's birthday
15 celebration?

16 A Oh, yes.

17 Q Okay. So, you were here for that; okay.
18 I wanted to get that cleared up.

19 Now, we've talked about some of the Jewish
20 High Holidays. Rosh Hashanah, do you recall that particular
21 holiday on September 14th?

22 A Well, yes, in general.

23 Q You were here in Nashville that time?

24 A Right.

25 Q Uh--was your son, Perry March and kids in

1 Nashville or Chicago for that?

2 A They were in Chicago.

3 Q Okay. And, then, uh--

4

5 MR. MASSEY: Let me make sure I understand
6 that.

7 Did he say Perry and the kids--

8

9 GENERAL THURMAN: Yes.

10

11 MR. MASSEY: -- were in Chicago?

12

13 GENERAL THURMAN: Right.

14

15 Q (General Thurman) And, then, shortly after
16 they returned-- uh-- the same day of the search warrant,
17 which I think we established was the seventeenth of September,
18 you flew them back to Chicago, is that correct?

19 A Yeah. That's the day I took the kids back --

20 Q To Chicago

21 A -- to Chicago

22 Q Okay. Now, after that, do you recall whether
23 the kids ever returned back from Chicago while you were
24 there or did they stay in Chicago?

25 A Well, they came back; but, I can't tell you

1 when they came back.

2 Q All right. Because at that time you were
3 in the process of moving the furniture and things, is that
4 correct?

5 A Well, when I. moved the furniture, they were
6 .. .I think they were still in Chicago.

7 Q Okay. That--that's the question I'm trying
8 to clarify a little bit.

9 Now, was it your testimony that your best
10 recollection the date that you and Perry returned from
11 Chicago and moved Janet March's body was after Yom Kippur?

12 A I--yes, I guess. . .yes.

13 Q Which would have been.. . let me see my
14 calendar here.. .been September 23rd, which was a Monday?

15 A That's Yom Kippur.

16 Q Yeah. I mean, you may have already...
17 this; but, it was that date. You do feel that that trip
18 was made sometime after Yom Kippur?

19 A Right.

20 Q Is there any reason you recollect that?

21 A No.

22 Q Okay. So, when you came back, were the kids
23 in Chicago, they weren't in Nashville?

24 A The best of my knowledge, the best of my
25 recollection, they would have been in--in Chicago.

1 Q Now, I'm a little confused about the van.
2 I think you may have testified earlier you drove up alone;
3 but, then, you later said that you thought Perry and Ron
4 followed you, is that --
5 A Well, I mean, they came after me. They didn't..
6 follow the truck.
7 Q Okay. So, it could have been the next day,
8 the next week or --
9 A No. I think it was the same day; but, they
10 left after I did.
11 Q So, you didn't travel together?
12 A No.
13 Q Okay. And, as far as when you were moving
14 the body, the weight--you didn't obviously, didn't weigh
15 the body --
16 A No.
17 Q -- or the contents of the bag. You say you
18 have difficulty moving a fifty pound bag of dog food?
19 A I don't--I don't carry the fifty pound
20 bag of dog food.
21 Q But, you were able to successfully --
22 A Pull it.
23 Q -- pull this bag?
24 A Yes.
25 Q And, you really don't know whether it

1 weighed fifty pounds or a hundred pounds, --
2 A No.
3 Q -- just you were able --
4 A It was more than I wanted to lift.
5 Q Okay. Now, you used the words numerous
6 times about your son, Perry, being kidnapped from Mexico.
7 Is that the same instance when he was deported by a legal
8 order of the Mexican government? Is that the same instance
9 that you're talking about when you described him as being
10 kidnapped?
11 A Yes.
12 Q And, there was some discussion about a rug.
13 When was the last time you visited--uh----the home of Janet
14 and Perry March prior to your coming up after she dis-
15 appeared? Had it been --
16 A I don't know.
17 Q -- a long period of time?
18 A I--I can't even give you a frame.
19 Q Okay. So, it's possible a rug could have
20 been purchased sometime that you wouldn't know about.
21 You're just saying that when you were there •those two times
22 you didn't ever see a rug.
23 A That's right.
24 Q And, when you were asked to clean up this
25 blood, uh--was that prior to the search warrant being

1 served the best you recollect?

2 A As best I recollect, yes.

3 Q Okay. And, there was some discussion about

4 Ron and Kathy, uh--have they ever been charged with anything?

5 A To my knowledge, no.

6 Q Do you know whether or not they've cooperated

7 with the authorities in the investigation of conspiracy case?

8 A To the best of my knowledge, yes.

9 Q And, you pled guilty, as you testified, in

10 Federal Court, basically, for your involvement in the

11 conspiracy to kill the Levines, is that correct?

12 A Basically for what?

13 Q For your involvement in the conspiracy to

14 kill the Levines?

15 A Yes, that's what they tell me.

16 Q Okay. And, you--uh--tell me, you said you

17 had one conversation with Perry early on about this before

18 Bobby Givings called you, is that correct?

19 A Uh--yeah.

20 Q Okay. And, tell us what exactly was said in

21 that conversation.

22 A To the best of my recollection, Perry said a

23 friend of his by the name of Bobby Givings was gonna call

24 me and I should give him as much help as he needed upon

25 coming to Mexico.

1 Q Okay. Did he say about coming to Mexico or
2 just as much help as he needed?
3 A I don't--I really can't...
4 Q Was there any discussion of a code at that
5 time?
6 A No.
7 Q Or, names? Well, what did you mean when you
8 were discussing about the dog and the--and your maid's name
9 and things of that --
10 A Well, he told me, Bobby Givings, told me
11 that Perry had given him the name of my dog, my mother and
12 my uncle so that I would know that I had--that he had talked
13 with Perry.
14 Q Had Perry and you ever used codes before in
15 discussing with each other?
16 A I...I really can't say cause I don't recollect.
17 Q Okay.
18 A We always did talk in...
19 Q Now, you had another.. .who was it that told
20 you--uh--not to talk on the phone or to w anything in
21 letters about Bobby Givings?
22 A Perry.
23 Q That was a different conversation, is that
24 right?
25 A That's right.

1 Q And, do you recall telling Perry it was
2 gonna happen next week --
3 A No, I don't.
4 Q -- in that conversation?
5 A Uh--not in that conversation, but, in a later
6 conversation when Perry called me. I said it was gonna happen
7 next week, yes.
8 Q Okay. And, did you also communicate by E-
9 mail with your daughter, Kathy, to send to Perry?
10 A They tell me that, I just don't remember.
11 Q Okay. So, that's possible
12 There is no question that you intended for
13 the Levines to be killed and hoped they'd be killed, is
14 that correct?
15 A Sure, several times.
16
17 GENERAL THURMAN: That's all the questions
18 I have.
19
20
21
22
23
24
25

1 RECROSS-EXAMINATION

2 BY MR. MASSEY

3 Q Couple of questions, Colonel, if I may.

4 You were asked, and I know you've answered
5 this already, but, when you were asked about going outside
6 and looking for blood to clean up, you didn't find any,
7 did you?

8 No.

9 Q Did you find any in the house?

10 A No.

11 Q Did you find anything that there would be
12 need to get Clorox to clean blood up with?

13 A No.

14 Q You started to say a moment ago in response
15 to one of Mr. Thurman's questions that---uh--it seemed to me
16 that you were saying that you always talked in code with--
17 with Perry always.

18 A Oh, no. I said we used code expressions.

19 Q Like--like --

20 A Like--

21 Q But, this--I mean, are you talking about
22 over entire life?

23 A Well, not over our entire lives, no.

24 The kids know I talk in short little-things that--used to
25 represent things.

1 Q Okay; last question.

2 A I've heard that song before.

3

4

5

6

7

8 FURTHER REDIRECT EXAMINATION

9 BY GENERAL THURMAN:

10 Q Even though you didn't see any blood, did
11 you clean up the area that you were instructed to?

12 A No. I didn't have--I didn't see anything.

13 Q You didn't clean up the gravel for --

14 A Yes, I did. I scraped it up and washed it
15 down with water.

16 Q Okay. So, you still cleaned up an area
17 although you didn't see any blood, visible blood?

18 A That's right.

19

20

21

22

23

24

25

148.

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

(Taking of deposition ended at 2:2 p.m.)

1 STATE OF TENNESSEE)
2 COUNTY OF DAVIDSON)

3 I, Marelle Newman, Notary Public in and for the Stat
4 of Tennessee at Large.

5 DO HEREBY CERTIFY that the foregoing deposition
6 thereof; that the deponent therein was duly sworn on oath to
7 testify the truth; that the proceedings of said deposition
8 were reported by me in shorthand and recorded on cassette
9 tapes; and, that the foregoing pages constitute a true and
10 correct transcription of said proceedings to the best of my
11 ability.

12 I FURTHER CERTIFY that I am not a relative or
13 employee or attorney or counsel for any of the parties hereto;
14 nor a relative or an employee of such attorney or counsel, nor
15 do I have any interest in the outcome or events of this action

17 IN WITNESS WHEREOF, I have hereunto affixed my
18 official signature and seal of office this the 18TH day
19 of April, 2006.

20 _____
21 Marelle Newman
22 Notary at Large

23 My Commission Expires: November 25th, 2006
24
25